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June 18, 2014

**Via ECF**

The Honorable James Orenstein  
United States Magistrate Judge  
United States District Court  
for the Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, New York 11201

RE: *Arnaldo Fernandez, et al., v. Goya Foods, Inc., et al.,*  
CV 13-6758 (DLJ)(JO)

Dear

We represent defendants Goya Foods Inc., Angel Colon and John Quinones (“Defendants”) in the above-referenced action. Pursuant to the Court’s Case Management and Scheduling Order entered on March 14, 2014, the parties’ were ordered to provide the Court with a joint status letter regarding the above-referenced case two days before the June 20<sup>th</sup> Status Conference. We have attempted to confer with Plaintiff’s counsel; however, we understand that he is the out of the country until tomorrow. As a result, and in an abundance of caution, we submit an *ex-parte* status report to the Court.

The parties have timely served their respective Rule 26(A)(1) disclosures. Currently, the parties are engaged in settlement discussion and in order to facilitate these settlement discussions, Defendants have produced a number of limited documents, subject to a Stipulation Governing the Treatment of Confidential Material and Communications. As a result, the parties have agreed to temporarily stay discovery (Plaintiff has served discovery requests on Defendants and Defendants, to date, in light of the parties’ settlement discussions, have not yet served discovery on Plaintiff). We note for the Court that we are cognizant of the fact that the current discovery deadline is September 30, 2014. Finally, we note that no motions are pending or scheduled to be heard.

We trust that this letter adequately apprises the Court of the status of the matter and look forward to our Status Conference on Friday, June 20<sup>th</sup>.

Respectfully submitted,

OGLETREE, DEAKINS, NASH,  
SMOAK & STEWART, P.C.

s/Brian J. Gershengorn

Brian J. Gershengorn

cc: William C. Rand, Esq.

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